

CITY OF LACONIA PLANNING BOARD
6:30 PM City Hall - Armand A. Bolduc Council Chamber
Accepted September 3, 2019

8/6/2019 - Minutes

1. CALL TO ORDER

Chair P. Brunette called the meeting to order at 6:33 PM

2. ROLL CALL

Kalena Graham called the roll with the following members present: Brett Beliveau, Jay Forester, Dave Broughton, Mike DellaVecchia, Edwin Bones, Peter Brunette

Absent: Charlie St. Clair and Sarah Jenna, David Bownes,

Claudia Marshessault,

3. RECORDING SECRETARY

Kalena Graham

4. STAFF IN ATTENDANCE

Planning Director Dean Trefethen, Assistant Director Rob Mora

5. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

The minutes were sent out July 8 and no revisions were requested.

5.1. Acceptance of minutes from July 2

Motion to approve the minutes made by D. Broughton, J. Forester seconded. All voted in favor.

6. PRESENTATIONS

6.1. Proposal to create Short-Term Lodging regulations and possible schedule of public hearing

Planning Director D. Trefethen addressed the board. The subcommittee met and discussed pros and cons. The only change was to section 5 to make the amount 18 separate rentals and apply to all allowed zones, with an exception to the CR and SFR zones. The subcommittee members were not all necessarily in agreement, but willing to bring this forward to public hearing at next meeting for input. E. Bones asked about the letter from PretiFlaherty, dated June 28, 2019, stating the board doesn't have authority to regulate short-term lodging. Planning Director D. Trefethen explained that the City's legal counsel disagreed.

Chair P. Brunette asked why Laconia is doing this and Planning Director D. Trefethen stated that issues need to be addressed to preserve the neighborhoods. Short term rentals are being allowed, just with oversight. Noise, trash and parking have been the biggest issues/complaints with current rentals. What has changed is the platform and how rentals are managed with less personal connection.

E. Bones asked about the abutter notification and feels that shouldn't be part of the application, especially since there are criteria to be met. Planning Director D. Trefethen stated part of the notification will also be education and how complaints will need to be filed in the future. If the abut has legitimate issues, then staff can work with the applicant during the application process. The abutter input was import to City Council. Chair P. Brunette has an issue with the abutter notification as well. Planning Director D. Trefethen stated that most of the situations are second homes or old cottage colonies turned condominium and those owners are not residence and, understandably, don't really

know what is going on in town. J. Forester agreed with the proposal but also with the fact that abutter notification shouldn't happen. He also asked about the fees and Planning Director D. Trefethen stated the fee hasn't been finalized yet and would possibly be yearly. The proposed fee is the price of the current Admin Review. There was discussion on having renewals be a lesser amount.

D. Broughton asked who would police these rentals and Planning Director D. Trefethen said staff, but will find properties. The plan is, at some point in time, to send a mailing to every property owner in the city informing them of the change with a little bit of info on the process. Planning Director D. Trefethen explained what the max occupancy means.

Motion to move this proposal forward to a public hearing for September 3 made by E. Bones, J. Forester seconded. All voted in favor.

7. EXTENSIONS

8. CONTINUED PUBLIC HEARINGS, CONSIDERATION AND POSSIBLE VOTE Note: The purpose of this agenda section is for the Board to continue the Public Hearing for the applicant and the public to provide input. The Board may also deliberate the application, decide and conduct a final vote at this time.

9. PUBLIC HEARINGS, POSSIBLE CONSIDERATION AND VOTE Note: The purpose of this agenda section is for the Board to have a presentation from the applicant and open a Public Hearing for the public to provide input. The Board may also deliberate the application, decide and conduct a final vote at this time.

9.I. PL2019-0092SP; Endicott Street East MBL 187-72-7; Endicott Street East Solar; proposal to install solar garden on City property; asking ~waiver request for traffic impact study; ~waiver request for groundwater analysis;

Motion to accept the application as complete made by D. Broughton, E. Bones seconded. All voted in favor.

Applicant: Ted Vancent representing New England Solar Garden and T. Chong from Nobis Engineering was present. T. Vancent addressed the board. They have been working on the project for a year. It was in response to an RFP to lease land with the City at the landfill. There is now an agreement to lease the land and have been working with the state on their approvals. The proposal is to cover the landfill with solar panels. T. Chong went over the proposal. She that the site was a closed capped landfill back from the early nineties. There are wetlands surrounding the property as well. The proposal is for 4.0 megawatts AC solar panels. The panels will be surfaced mounted, sitting on a concrete tub in a plastic basket. Access will be through the current easement road through Sterling Dr which is currently a construction road. The applicant is requesting two waivers: groundwater analysis and traffic impact study. The City currently has monitor wells on site with monthly checks and traffic will be no more than two cars for maintenance, after construction. These will not interfere with the neighboring development. During construction, cement trucks will be going in and ballasts will be delivered, then equipment delivery trucks and pickup trucks with workers. After construction, there will only be pickups for maintenance. The applicant is proposing to put up a chain-link fence around the perimeter. They will be connecting power at one of the poles toward the end of the property along the easement. There will be not storage, it will just out to the grid. NESG Laconia LLC will own the array and sell the energy on the leased land by the City. They will be stationary arrays. During the meeting with officials and abutter, it was discussed to have a tree buffer for the abutter on Sterling Dr that can see the arrays. The panels will be in the field areas so there will be no tree cutting. In whole, the project will take 3-6 months.

The public hearing opened at 7:22 PM

Abutter input: Steve Haynes of 604 Endicott East addressed the board. brook runs along his prop and the water is awful this time of year. He asked if this proposal will be flushing more water off the property and T. Chong said there should be no more runoff than what is existing.

Atty Phil Brouillard, representing abutting property owners, addressed the board. He stated that the

abutter had no problem with the idea. There was concern with the noise. He asked some questions. The applicant responded. One transformer is being proposed on the southern section of the property and will be 480 volts. The closest inverter is approximately 450 ft away from the abutting property. T. Chong clarified that the footings will be plastic tubs with stainless steel posts and the cement will be in the tubs to hold the posts.

Wendy Haynes of 604 Endicott East addressed the board. She asked how far back the panels will be from Endicott and was measure to approximately 1000 ft to the edge of the property.

The public hearing closed at 7:39 PM

Staff review: Planning Director D. Trefethen read the staff review.

Motion to approve the waiver for traffic impact study and groundwater analysis made by D. Broughton, md seconded. All voted in favor.

The public hearing reopened at 7:45 PM

Atty P. Brouillard stated that his client's concern was the noise. T. Vancent said there is a bump that will shield most of the sounds from abutting properties.

Applications with DOT have been submitted. M. DellaVecchia asked Atty P. Brouillard why the questions and was told that he had a personal opinion on a previous project so wants to make sure all was legal.

Wendy Haynes reiterated that her concern is the runoff. T. Chong noted there is already stormwater control and there will be no increased runoff.

The public hearing closed at 7:58 PM

Motion to approve the site plan for solar garden with the dates and conditions as stated in the staff review made by M. DellaVecchia, D. Broughton seconded. J. Forester amended the motion to add landscaping plan for abutters to be reviewed with staff, M. DellaVecchia seconded. All voted in favor.

9.II. PL2019-0094SU; 67 Fox Crossing, 7 Aberry Lane & MBL 231-364-7; Boundary line adjustment

Motion to accept the application as complete made by D. Broughton, J. Forester seconded. All voted in favor.

Applicant: Fred Claussen and Eric Foster was present. F. Claussen addressed the board. The proposal is to take the three lots and make two. It would be a total discontinuance of a building lot. Oakleigh and Long Bay have approved the change.

The public hearing opened at 8:11 PM

Abutter input: There was no one for or against the application.

The public hearing closed at 8:11 PM

Staff Review: Planning Director D. Trefethen stated staff recommends approval

Motion to approve the boundary line adjustment with the dates and conditions as stated in the staff review made by E. Bones, D. Broughton seconded. All voted in favor.

9.III. PL2019-0093SU; 67 & 79 Maiden Lady Cove Lane; Boundary line adjustment

Motion to accept the application as complete made by D. Broughton, B. Beliveau seconded. All voted in favor.

Applicant: The Leightons and Leonards were present. Lynn Leighton addressed the board. The proposal is to take the middle lot and split it between the two abutting parcels.

The public hearing opened at 8:16 Abutter input:

The public hearing closed at 8:16

Staff Review: Planning Director D. Trefethen read the staff review.

Motion to approve the boundary line adjustment with the dates and conditions as stated in the staff review made by D. Broughton, E. Bones seconded. All voted in favor.

- 9.IV. PL2019-0089CUP (childcare), 0090SP; 651 Union Ave; Open Door Preschool & Childcare; proposal to change the use of the downstairs from automotive to childcare

Motion to accept the application as complete made by D. Broughton, B. Beliveau seconded. All voted in favor.

Applicant: Jim and Pam Hughes were present. P. Hughes addressed the board. The proposal is to change the automotive place into an addition to the daycare located in the building next door. The big bay doors will be coming out and windows put in. There is more parking than what is required. There will be an indoor and outdoor playground. Any child in a diaper will stay at 645 Union and the rest will be at the 651 Union building. The applicants live above the auto shop and they will remain there. Downstairs will be the office, a parent seating area and the daycare. Childcare license requires one toilet per 20 children. She currently has 45 children. She doesn't want to go over 50 children as there are more requirements.

The public hearing opened at 8:27 PM

Abutter input: There was no one to speak for or against the application.

The public hearing closed at 8:27 PM

Staff Review: Planning Director D. Trefethen read the staff review.

Motion to approve the site plan and condition use permit for a daycare with the dates and conditions as stated in the staff review made by B. Beliveau, D. Broughton seconded. All voted in favor.

10. APPLICATION ACCEPTANCE Note: The purpose of this agenda section is to publicize that a Planning Board application has been submitted AND for the Planning Board to determine if the application is complete enough to begin the review process. PUBLIC INPUT IS NOT TAKEN AT THIS TIME. If the application is accepted the Planning Board will schedule a Public Hearing at which time the application will be heard and public comments will be accepted. Information about applications can be obtained on the city's web site or by calling the Planning office.

11. NEW BUSINESS

- 11.I. Appointment of Planning Board members (3) and members at large (4) to CIP Committee

Assistant Director R. Mora explained that he had heard from members at large and Ava Doyle, Mike Foote and Dean Anson said they would volunteer. Chair P. Brunette stated he would volunteer and noted that C. Marsh and Sarah Jenna had showed interest at the last meeting.

Motion to appoint Ava Doyle, Mike Foote and Dean Anson as members at large and P. Brunette, C. March and S. Jenna and C. St. Clair, as an alternate, as Planning Board members to the CIP Committee made by E. Bones, D. Broughton seconded. All voted in favor.

12. OLD BUSINESS

13. PLANNING DEPT REPORT

Planning Director D. Trefethen stated work is happening on the Historic Overlay District (HOD) and restarting the Master Plan Steering Committee to talk about other opportunities of enacting various recommendations of the Master Plan. Chair P. Brunette stated that he feels the process needs to be transparent and agreed that some of the chapters of the Master Plan need to be revised. He asked about contacting chapters out. Planning Director D. Trefethen stated that the economic, transportation and nature resource chapter have been contracted out.

Planning Director D. Trefethen mentioned that a few new entities have purchased land in Lakeport and planning significant investments in the square area.

14. LIAISON REPORTS

15. OTHER BUSINESS

Chair P. Brunette brought up the erosion happening at Bond Beach in Lakeport. The parking area is eroding under the pavement. This summer there was no staff or lifeguard. His concern is the erosion going straight into the lake.

16. ADJOURNMENT

The meeting adjourned at 8:48 PM

Respectfully,
K. Graham